

**Planning Committee - WEDNESDAY 27th FEBRUARY 2008
Amendment Sheet**

5 27/2007/026

OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF 22 AFFORDABLE HOMES AND ASSOCIATED PARKING TOGETHER WITH REPLACEMENT STORAGE BUILDING AND RELOCATION OF STABLES AT LAND TO SOUTH AND EAST OF BARTON HOUSE, OAKE.

COMMENTS FROM LEISURE DEVELOPMENT - In accordance with Policy C4 provision for play and active recreation must be made.

A contribution of £1,023.00 for each dwelling should be made towards the provision of facilities for active outdoor recreation and contribution of £1,785.00 for each two-bed dwelling should be made towards children's play provision. The contributions should be index linked and would be spent in locations accessible to the occupants of the dwellings.

COMMENTS FROM COUNTY HIGHWAYS - I refer to the above-mentioned planning application received on the 21 January 2008 and have the following observations on the highway and transportation aspects of this proposal.

In principle, I have concerns regarding the suitability of the sites location in terms of meeting sustainable transport objectives, and in respect of the road network in the vicinity of the site to accommodate additional levels of traffic.

On the subject of sustainability, I am aware that Oake accommodates a post office and a primary school. I am also aware that there is an infrequent bus service runs through the village, in addition to one located on the main B3227 at The Royal Oak in Hillcommon, although the service provision equates to approximately an hourly service. It should be noted that employment opportunities in the village appear limited, and secondary education, health and mainstream retail are only available some considerable distance from the site. Notwithstanding the aforementioned comments, Policy 35 of the Somerset and Exmoor National Park Joint Structure Plan Review and policy H11 of the Taunton Deane Local Plan, state that there are exceptions whereby small affordable housing schemes which meet the local community's needs for affordable housing will be permitted on sites where housing would not otherwise be permitted, either within or adjoining the identified limits of villages and rural centre providing they meet the appropriate criteria. Therefore its acceptability from a planning perspective must be a matter for the Local Planning Authority, however providing that the proposal meets this criteria set out by this Policy H11, it may be unreasonable to raise a Highway Objection on sustainability.

This is an outline proposal with all matters reserved apart from means of access, however an indicative layout has been submitted showing a layout for the proposed development.

In detail, the proposal derives access from /onto a classified unnumbered highway which is the main route into the village of Oake from the B3227 and is subject to a 30mph speed restriction. I have carried out a speed survey whereby

it was concluded that the 85th percentile of traffic was traveling at 33mph. Therefore visibility splays as set out in Manual for Streets, would be applicable in this location.

Visibility at the point of access where the estate road meets the public highway needs to be 2.4m x 45m in each direction to the nearside carriageway edge, which appears to have been achieved. However I would request a full topographical survey plan is submitted clearly setting out these splays ensuring that these splays can be provided within the application site and/or highway land as I am concerned that the splay to the south may encroach onto third party land. Given that the proposal is located in what is considered an unsustainable area, I would recommend that the maximum parking standard is provided otherwise it is likely that vehicles will end up parking on the access road or public highway. The Somerset Parking Strategy sets out the following provision:-

1 bedroom unit 1 car space per dwelling

2-3 bedroom units 2 car spaces per dwelling

4+ bedroom units 3 car spaces per dwelling

It would appear from comparing drawing number 07.16.11A with the attached 1:500 scale extract of the computerised road record sheet (copy attached), it appears that the applicants red line to the north of the site entrance includes part of the existing publicly maintained highway. Can the applicant please amend the extent of red line boundary accordingly.

Although the layout is indicative at this stage, our Estate Roads Team, have set out below comments that have been made as a result of looking at drawing numbers 07.16.11A, 07.16.12A together with 'Design and Access Statement'. It has been noted that the applicant is looking to discharge surface water from this site into existing watercourses. It will be necessary for the applicant to obtain written consent of the authority or owner responsible for the existing watercourse for any such discharge to take place.

Our Area Highway Office has contacted me and has advised that there are problems with the watercourse, which the Developer are planning to connect into. The watercourse flows into a 225mm dia pipe, which goes from the playing field by the village hall some 300m to its outfall. The pipe during heavy rainfall has problems coping with the capacity of water being directed into it from the other side of the B3227 (past the orchards towards Heathfield). Concern if additional water is placed into this water course it will over top and flow down the side of the playing field or flow back towards the proposed development. The outfall pipe from the proposed development will have problems working when the watercourse is full. Therefore there will have to be a form of retention on the site during storm conditions.

2. Submitted drawing number 07.16.11A shows a 25m forward visibility splay throughout the bend of the proposed type 4 access road. Can the applicant show this visibility within drawing number 07.16.12.

3. It is noted that the proposed type 4 access road will serve relocated stables. The Highway Authority recommends that the first 5.0m of the track beyond highway limits is constructed with a bound material. This will then prevent mud/loose material from being trafficked onto the highway.

4 1.0m wide margins will be required at each end of the turning arms within the proposed shared surface road.

5. The proposed shared surface carriageway shall be constructed using block paviors with a longitudinal gradient no slacker than 1:80.

6 It has been noted that a footpath is to be constructed between plots 8 and 9 that will provide access to the Community Centre/Playing Field. Can the applicant please advise as to who will be responsible for the future maintenance of this path?

7. On the north side of the access, the footway should extend 10m north of the junction and have tactile crossing points on the site and opposite side of the road, to enable pedestrians to safely cross the carriageway.

8. Proposed parking bays should be constructed to a minimum depth of 5.5m where they are located in front of boundary walls/planted areas. An unobstructed 6.0m aisle should be provided in front of all bays to aid vehicle manoeuvrability.

9. Where parking bays are located immediately in front of private access paths, and the bays cannot be constructed to a minimum depth of 5.5m, then it is recommended that bollards are placed at the back of the bays, so as to prevent vehicle overhanging of the footpaths.

The gradient of the proposed access road should not, at any point, be steeper than 1:20 for a distance of 10m from its junction with the adjoining road.

Private surface water from driveways/other private areas shall be intercepted with pcc dished channel blocks (or keychannel) if appropriate) outfalling into 300mm or 450mm dia gullies discharging into a private surface water system. Proposed planting immediately to the back of the prospective public highway will need to be supported by the submission of a planting schedule to SCC for checking/approval purposes.

No doors, gates or low-level windows/utility boxes/down pipes/porches to overhang or obstruct the footways/shared surface roads. The Highway limits shall be limited to that area of the footway/carriageway clear of all private service boxes, inspection chambers, rainwater pipes, vent pipes, meter boxes (including wall mounted), steps etc.

Tie into existing highway - Allowances shall be made to resurface the full width of the existing carriageway where disturbed by the extended construction and to overlap each construction layer of the carriageway by a minimum of 300mm.

All materials within the prospective public highway area must be bound. Loose materials cannot be used. If loose material is to be used within private areas, then it must be contained to prevent it from discharging onto footways/carriageways.

Where private access paths crossover the prospective highway margins, they should be constructed as per typical footway spec. No paving slabs are to be used.

A condition survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to works commencing on site. Any damage to the existing highway as a result of this development is to be remedied by the developer before occupation of the development. Please contact the Highway Service Manager (Taunton Deane Area) 08453459155) to arrange for

such a survey to take place.

The applicant should be aware that it is likely that the internal layout of the site will result in the laying out of a private street, and as such under Section 219 to 225 of the Highways Act 1980, will be subject to the Advance Payments Code.

6 29/2007/013

PROPOSED GYPSY CARAVAN SITE FOR THREE MOBILE HOMES WITH TOURING CARAVANS AND PORTABLE SHOWER BLOCK AT DANESWELL, ADJACENT TO GYPSY SITE, CULMHEAD

CHURCHSTANTON PARISH COUNCIL - support Otterford Parish Council in opposing the application. As Otterford parish supplies 25% of Taunton Deane's provision it is grossly unfair to expect it to supply even more.

The Gypsy Liaison officer has confirmed the gypsy status of the applicants.

7 34/2007/057

ERECTION OF BUILDING TO HOUSE INDOOR NETBALL/TENNIS COURT, FORMATION OF THREE OUTDOOR NETBALL/TENNIS COURTS, ONE OUTDOOR NETBALL COURT AND SYNTHETIC TURF PITCH FOR FOOTBALL AND HOCKEY ALL FLOODLIT BY 16 X 10M HIGH FLOODLIGHT COLUMNS AT TAUNTON VALE SPORTS CLUB, GIPSY LANE, STAPLEGROVE

ADDITIONAL INFORMATION FROM THE APPLICANT - The views of the Councils Lighting Consultant were provided to the applicants and they have commented as below on those requirements: "Baffles can be retro fitted to the existing luminaries but may affect the performance of the lights and will come at a cost."

The applicants also state that the building fabric can be any colour that the Local Planning Authority may require.

Regarding the Parish query about reducing the level of the building to the height of the clubhouse the applicants, indicate that to do so may involve removal of some 11,000 tonnes of material from the site and add prohibitively to the costs of the project.

COMMENTS FROM COUNTY HIGHWAYS AUTHORITY - No objections in principle as satisfied existing parking facilities are adequate.

8 43/2007/003

ERECTION OF 6 DWELLINGS AT LAND OFF GAY CLOSE, WELLINGTON AS

AMENDED BY LETTER DATED 21ST JANUARY 2008 AND REVISED SITE PLAN RECEIVED ON 7TH FEBRUARY 2008.

COMMENTS FROM HIGHWAY AUTHORITY - The latest layout has been amended thus reducing the number of units and removing those that were previously situated partially on the highway.

The site is located within the residential area in the town of Wellington and has two points of access from the public highway. Units 1, 2 and 3 are accessed from a private garage/parking area from Gay Street and with plots 4, 5, and 6 will derive access from/onto Gay Close.

Inadequate information has been submitted to satisfy the Local Planning Authority that a satisfactory means of access to the site can be achieved. Particularly in respect of the parking spaces situated between the proposed dwellings, which do not incorporate adequate visibility for and of emerging vehicles.

The dwellings will derive access directly onto the private driveways and there is no footway provision proposed to serve the development, with pedestrians having to walk directly via private vehicular accesses/parking areas in order to gain access to the units.

Given the points raised above I would recommend refusal of the application for the

following reasons:

1. The Local Planning Authority and the Local Highway Authority, in adopting the Somerset County Council publication 'Estate Roads in Somerset', have agreed standards for the layout of new streets. The proposed access roads do not conform to these agreed standards and are not therefore adequate to serve the development proposed.

PLANNING OFFICER'S COMMENTS - The Housing Association are under pressure to secure funding for the site and are therefore in negotiations with the Highway Authority to overcome these latest concerns. As such the recommendation is subject to the receipt of amended plans which overcome the technical objections of the Highway Authority one that the Development Control Manager and the Chair/Vice Chair be authorized to determine and that permission be GRANTED (Amended Recommendation).

9 49/2007/074

CHANGE OF USE FROM OFFICE TO RESTAURANT AND TAKE AWAY AT 3 SILVER STREET, WIVELISCOMBE

ONE FURTHER LETTER OF OBJECTION - Neighbouring resident advises that: Parish Council have not considered residential amenity, and the Local Planning Authority should have followed this up with the Parish; Environmental Health Officer make no reference to smells around the enclosed courtyard garden, and the flue should be elevated higher which would then have an impact on visual amenity etc; Case Officer and Environmental Health Officer have never visited

the neighbours property; sound proofing should be conditioned because an adjoining bedroom wall is only a stud wall; the County Highways Authority consultation response is extraordinary because parking is a significant problem in Wiveliscombe and traffic would be increased; the permission should be personal to the applicant; the stud partition poses a significant problem in terms of noise generation; Environmental Health Officer have failed to provide details of Taunton take-aways; the proposal is clearly contrary to Local Plan Policy; several additional restrictive conditions be imposed should permission be granted, to included prohibition of amplified music, sound proofing, restriction to five days per week and closing at 22:00hrs, permission be personal, and that a 12 month condition be imposed.

An additional e-mail from the same neighbour suggests a specifically worded soundproofing condition.

RESPONSE FROM APPLICANT - to Environment Health Officer's comments, the applicant advised that; provision for carbon filters will be build into the extraction system; the flue will be at least one meter above eaves; the air extraction system will be fit for purposes, and to safeguard amenities, the flue and fan will be installed internally to negate any external noise issues; their current business runs in accordance with current food law; the "Safer Food Better Business" manual will be maintained; "5 stars" have recently been awarded for excellent hygiene and management confidence; food handling employees will receive adequate training; and that Environmental Health Officer will be contacted again to agree with them the detailed plans of layout and workflow. Further e-mail from applicant as a result of request for additional condition by Environment Health Officer. Considers imposition of additional condition is most unfair and extremely over-zealous and disproportional to the small scale of the proposal. A small quiet restaurant is proposed, not a nightclub request from Environmental Health Officer strays more into Building Control elements than planning. Would accept a condition of meeting Part E of the Building Regulations.

ADDITIONAL CONDITION - suggested by Environmental Health Officer "Prior to the commencement of any development works, the applicant shall, at his own expense, appoint a suitably qualified acoustics consultant with a remit to examine the premises/land and identify what measures, if any, may be necessary to ensure that noise nuisance to neighbouring premises will not be caused. The consultant shall submit a written report to the Planning Authority which shall detail all measurements taken and results obtained, together with any sound reduction scheme recommended and the calculations and reasoning upon which any such scheme is based. Such report is to be agreed in writing by the Local Planning Authority, prior to the commencement of development works, and all work identified to be undertaken, shall be implemented before the business is open for operation. Reason to safeguard residential amenity in accordance with Taunton Deane Local Plan Policy S1.

10 49/2007/077

CONSTRUCTION OF AGRICULTURAL ACCESS (RETROSPECTIVE).
CANDLETREES, JEWS FARM, MAUNDOWN, WIVELISCOMBE.
ADDITIONAL INFORMATION FORM APPLICANT - photograph submitted which demonstrates that the access cannot be seen from the South because of the post and rail fence, and therefore advising that further screening is not necessary.
